

MESSAGE NO: 4242113

MESSAGE DATE: 08/30/1994

MESSAGE STATUS: Active

CATEGORY: Antidumping

TYPE: INF-Information Notice PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE:

FR CITE: FR

FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-570-827

EFFECTIVE DATE:

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED: 08/26/1994 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: PRELIMINARY AFFIRMATIVE DETERMINATION OF CRITICAL CIRCUMSTANCES;  
CERTAIN CASED PENCILS FROM PRC (A-570-827)

MESSAGE NO: 4242113

DATE: 08 30 1994

CATEGORY: ADA

TYPE: INF

REFERENCE:

REFERENCE DATE:

CASES: A - 570 - 827

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PERIOD COVERED: 08 26 1994 TO

LIQ SUSPENSION DATE:

TO: REGIONAL DIRECTORS, COMMERCIAL OPERATIONS  
DISTRICT DIRECTORS, AREA AND PORT DIRECTORS

FROM: DIRECTOR, TRADE COMPLIANCE DIVISION

RE: PRELIMINARY AFFIRMATIVE DETERMINATION OF CRITICAL  
CIRCUMSTANCES; CERTAIN CASED PENCILS FROM PRC  
(A-570-827)

1. THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER  
ON AUGUST 26, 1994, NOTICE OF ITS PRELIMINARY AFFIRMATIVE  
DETERMINATION OF CRITICAL CIRCUMSTANCES OF CERTAIN CASED PENCILS  
FROM THE PEOPLE'S REPUBLIC OF CHINA (PRC).

2. THE PRODUCTS COVERED BY THIS INVESTIGATION ARE CERTAIN CASED  
PENCILS OF ANY SHAPE OR DIMENSION WHICH ARE WRITING AND/OR  
DRAWING INSTRUMENTS THAT FEATURE CORES OF GRAPHITE OR OTHER  
MATERIALS ENCASED IN WOOD AND/OR MAN-MADE MATERIALS, WHETHER OR

NOT TIPPED (E.G. WITH ERASERS, ETC.) IN ANY FASHION, AND EITHER SHARPENED OR UNSHARPENED. THE PENCILS SUBJECT TO THIS INVESTIGATION ARE CLASSIFIED UNDER SUBHEADING 9609.10.00 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS).

SPECIFICALLY EXCLUDED FROM THE SCOPE OF THIS INVESTIGATION ARE MECHANICAL PENCILS, COSMETIC PENCILS, PENS, NON-CASED CRAYONS (WAX), PASTELS, CHARCOALS, OR CHALKS.

ALTHOUGH THE HTSUS SUBHEADING IS PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, OUR WRITTEN DESCRIPTION IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES, THIS ANTIDUMPING DUTY CASE HAS BEEN ASSIGNED THE FOLLOWING CASE NUMBER: A-570-827.

4. WE PRELIMINARILY DETERMINE THAT CRITICAL CIRCUMSTANCES EXIST FOR IMPORTS OF CERTAIN CASED PENCILS FROM SHANGHAI FOREIGN TRADE CORPORATION, SHANGHAI LANSHENG CORPORATION, AND CHINA FIRST PENCIL CO., LTD. THE CUSTOMS SERVICE SHALL SUSPEND LIQUIDATION OF SUCH PRODUCTS THAT ARE ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION ON OR AFTER MARCH 18, 1994, WHICH IS 90 DAYS PRIOR TO THE DATE OF PUBLICATION (JUNE 16, 1994) OF THE PRELIMINARY DETERMINATION OF SALES AT LESS THAN FAIR VALUE IN THE FEDERAL REGISTER. EFFECTIVE MARCH 18, 1994, CUSTOMS SHALL REQUIRE A CASH DEPOSIT OR THE POSTING OF A BOND EQUAL TO THE MARGINS SHOWN BELOW.

5. WE PRELIMINARILY DETERMINE THAT CRITICAL CIRCUMSTANCES DO NOT EXIST FOR IMPORTS OF CERTAIN CASED PENCILS FROM GSSG. THEREFORE, THE DATE OF PUBLICATION IN THE FEDERAL REGISTER OF OUR PRELIMINARY DETERMINATION OF SALES AT LESS THAN FAIR VALUE, REMAINS THE SUSPENSION OF LIQUIDATION/CASH DEPOSIT DATE FOR IMPORTS FROM GSSG.

6. WE PRELIMINARILY DETERMINE THAT CRITICAL CIRCUMSTANCES EXIST FOR IMPORTS OF CERTAIN CASED PENCILS FOR ALL OTHER MANUFACTURERS/PRODUCERS/EXPORTERS FROM THE PRC. THE CUSTOMS

SERVICE SHALL SUSPEND LIQUIDATION OF SUCH PRODUCTS THAT ARE ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION ON OR AFTER MARCH 18, 1994, AT THE ALL OTHER RATE SHOWN BELOW.

| MANUFACTURERS/PRODUCERS/<br>EXPORTERS | CUSTOMS ID<br>NUMBER | MARGIN/<br>PERCENT |
|---------------------------------------|----------------------|--------------------|
|---------------------------------------|----------------------|--------------------|

|                              |               |         |
|------------------------------|---------------|---------|
| CHINA FIRST PENCIL CO., LTD. | A-570-827-004 | 107.63% |
|------------------------------|---------------|---------|

|                         |               |         |
|-------------------------|---------------|---------|
| SHANGHAI LANSHENG CORP. | A-570-827-003 | 100.98% |
|-------------------------|---------------|---------|

|                              |               |         |
|------------------------------|---------------|---------|
| SHANGHAI FOREIGN TRADE CORP. | A-570-827-002 | 100.98% |
|------------------------------|---------------|---------|

|  |               |        |
|--|---------------|--------|
| GUANGDONG PROVINCIAL<br>STATIONERY & SPORTING GOODS<br>IMPORT & EXPORT CORP. | A-570-827-001 | 58.34% |
|--|---------------|--------|

|           |               |         |
|-----------|---------------|---------|
| ALL OTHER | A-570-827-000 | 107.63% |
|-----------|---------------|---------|

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE REGIONAL ANTIDUMPING/COUNTERVAILING DUTY COORDINATOR, THE TRADE COMPLIANCE DIVISION, ANTIDUMPING/COUNTERVAILING DUTY BRANCH USING ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT KRISTIN HEIM OR THOMAS MCGINTY, OFFICE OF COUNTERVAILING INVESTIGATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, TELEPHONE (202) 482-3798 AND (202) 482-5055 RESPECTIVELY.

7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

NANCY MCTIERNAN

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party